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09/966,706

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Rick Rowe

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EXAMINER

MEINECKE DIAZ, SUSANNA M

ART UNIT

PAPER NUMBER

3694

| SHORTENED STATUTORY PERIOD OF RESPONSE | MAIL DATE | DELIVERY MODE |
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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

09/966,706

Applicant(s)

ROWE ET AL.

Examiner

Susanna M. Diaz

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 September 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/15/02, 10/21/02, 9/22/03, 6/12/04, 1/22/05
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application
- ☐ Other: _____

DETAILED ACTION

1. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-15 and 17-19 are rejected under 35 U.S.C. 102(a, e) as being anticipated by Crevelt et al. (U.S. Patent No. 5,902,983).

Crevelt discloses a system for monitoring player financial transactions in a gaming environment for tracking player loss comprising:

[Claim 1] a plurality of gaming devices (Fig. 2; col. 4, lines 54-60; col. 6, lines 49-53);

a financial transaction host, said financial transaction host in communication with each of said plurality of gaming devices via a communication network, said financial transaction host including memory for storing at least one data file corresponding to a player and identifiable with a player identification, said at least one data file including financial information including at least monetary amounts associated with said player for

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use in playing one or more of said plurality of gaming devices (Figs. 1, 2; col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9); and

means for determining a player's financial loss from said financial information (col. 3, lines 8-18; col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 15 through col. 11, line 9);

[Claim 2] wherein said financial information comprises amounts deposited by said player (col. 3, line 12 through col. 4, line 26; col. 8, lines 42-61);

[Claim 3] wherein said system includes means for establishing a communication link with an outside financial institution, and wherein said financial information comprises information regarding funds requested by said player from said institution (col. 3, line 12 through col. 4, line 26; col. 5, lines 41-43);

[Claim 4] wherein said player identification comprises information identifying said player at said financial institution (col. 5, lines 45-52; col. 6, lines 3-9; col. 9, lines 1-29);

[Claim 5] wherein said financial information includes amounts bet by said player in playing one or more of said plurality of gaming devices (col. 3, line 12 through col. 4, line 26 -- The playing credit is used to play a machine, i.e., to bet at a machine);

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[Claim 6] wherein said financial information includes monetary amounts awarded to said player playing one or more of said plurality of gaming devices (col. 3, line 12 through col. 4, line 26);

[Claim 7] including at least one player identification input device for accepting said player identification (col. 5, lines 45-52; col. 6, lines 3-9; col. 9, lines 1-29);

[Claim 8] wherein said at least one player identification input device comprises a card reader (col. 5, lines 45-52; col. 6, lines 3-9; col. 9, lines 1-29);

[Claim 9] including at least one currency dispensing apparatus for dispensing currency associated with a player account at a financial institution and wherein said card reader is associated with said currency dispensing apparatus (col. 3, line 56 through col. 4, line 26; col. 10, line 55 through col. 11, line 9).

Crevelt discloses a method of monitoring player financial activities in a gaming environment in which a player may play one or more games comprising the steps of:

[Claim 10] generating a financial account corresponding to a player, said account represented by at least one data file, said at least one data file adapted to contain financial information (col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9);

storing financial information regarding monetary amounts belonging to a player which may be used to play said one or more games (col. 5, lines 36-40 -- Each gaming

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machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9);

storing financial information regarding monetary amounts expended by a player in playing said one or more games (col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9); and

determining player loss from said financial information (col. 3, lines 8-18);

[Claim 11] wherein said step of generating a financial account includes associating a player identifier with said account (col. 5, lines 45-52; col. 6, lines 3-9);

[Claim 12] identifying a player with said player identifier (col. 5, lines 45-52; col. 6, lines 3-9; col. 9, lines 1-29);

[Claim 13] wherein said player identifier is associated with a player's financial institution (col. 5, lines 45-52; col. 6, lines 3-9, 40-46; col. 9, lines 1-29);

[Claim 14] wherein said financial information regarding monetary amounts belonging to said player comprises information regarding amounts deposited by said player to said account and amounts award to said player and credited to said account in association with said player's play of said one of more games (Figs. 1, 2; col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9);

[Claim 15] wherein said financial information regarding monetary amounts belonging to said player comprises credit represented by financial data transmitted from a remote financial institution (col. 3, line 12 through col. 4, line 26; col. 8, lines 42-61).

Crevelt discloses a method of monitoring game player financial transactions associated with at least one game station coupled to a server, the server including at least one data file representing a player account, said account containing player financial information comprises the steps of:

[Claim 17] crediting monetary amounts to said player for use in playing a game at said game station to said at least one data file (col. 3, line 56 through col. 4, line 26; col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 55 through col. 11, line 9);

accepting input from said player transmitted from said game station to said server, said input including player identification information (col. 5, lines 45-52; col. 6, lines 3-9, 40-46; col. 9, lines 1-29);

deducting amounts bet by said player in playing a game at said game station from said player account (col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 15 through col. 11, line 9);

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determining said player's net financial gain or loss from said credit monetary amounts and said deducted amounts (col. 3, lines 8-18; col. 5, lines 36-40 -- Each gaming machine may provide player tracking information and accounting information to the local area network; col. 5, lines 45-52; col. 6, lines 3-9; col. 8, lines 18-61; col. 9, lines 58-65; col. 10, line 15 through col. 11, line 9);

[Claim 18] wherein said crediting step comprises crediting an amount won by said player in playing a game at same game station (col. 3, line 56 through col. 4, line 26; col. 10, line 55 through col. 11, line 9);

[Claim 19] wherein said player identification information comprises information identifying said player to a financial institution (col. 5, lines 45-52; col. 6, lines 3-9, 40-46; col. 9, lines 1-29).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 16 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Crevelt et al. (U.S. Patent No. 5,902,983), as applied to claims 10 and 17 above, in view of Feinberg (U.S. Patent No. 5,910,048).

[Claims 16, 20] Crevelt does not expressly teach the steps of preventing said player from utilizing monetary amounts associated with said account to play said one or

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more games for at least a period of time if said determined player loss meets certain criteria (claim 16) and preventing said player from deducting amounts from said account if said player is determined to have incurred a particular financial loss during a particular period of time (claim 20). However, Feinberg discloses the concept of limiting loss of a slot machine player. Feinberg's "method comprises the steps of identifying a player; tracking an amount played and an amount paid out to the player by a first slot machine; determining if the player has lost more than a predetermined loss amount; and if the player has lost more than the predetermined loss amount after one of a predetermined number of plays, a predetermined amount played, a predetermined time of play, and the player stopping further play, crediting the player the difference between the predetermined loss amount and the player's actual loss" (abstract). Effectively, once Feinberg has detected that a player has incurred a particular financial loss during a particular period of time, the player is prevented from spending more of his/her own money (at least temporarily). Feinberg does, however, encourage additional play from the player by crediting him/her with some compensatory funds. Feinberg does this in order to encourage slot machine utilization (col. 6, lines 39-45). Crevelt also seeks the prior art advantages that encourage higher casino revenues (col. 2, lines 14-17) while guarding a player against overextending him/herself financially (col. 2, lines 43-49). In other words, both Feinberg and Crevelt aim to stimulate casino revenues while minimizing financial burdens placed on the players. A financially overextended player will likely only be able to frequent the casinos for a brief period of time, while a player who can fund his/her gambling expenses will more likely be able to remain a casino

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patron for a longer period of time. Therefore, the Examiner submits that it would have been obvious to one of ordinary skill in the art at the time of Applicant's invention to modify Crevelt to perform the steps of preventing said player from utilizing monetary amounts associated with said account to play said one or more games for at least a period of time if said determined player loss meets certain criteria (claim 16) and preventing said player from deducting amounts from said account if said player is determined to have incurred a particular financial loss during a particular period of time (claim 20) (as suggested by Feinberg) in order to stimulate casino revenues while minimizing financial burdens placed on the players to promote continued patronage by these players.

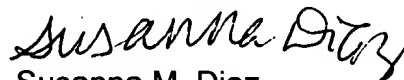
Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susanna M. Diaz whose telephone number is (571) 272-6733. The examiner can normally be reached on Monday-Friday, 8 am - 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Trammell can be reached on (571) 272-6712. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Susanna M. Diaz
Primary Examiner
Art Unit 3694

January 8, 2007